

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF NORTH NELSON WATER )	
DISTRICT FOR A DEVIATION FROM THE WATER )	CASE NO. 10240
STORAGE AND SERVICE LINE REQUIREMENTS )	

O R D E R

By letter received April 25, 1988, North Nelson Water District ("North Nelson") requested a deviation from 807 KAR 5:066, Section 5(4), and Section 10(3), which requires a water utility to provide water storage to insure one day's supply of its average daily water usage and to inspect a customer's service line installation.

On June 20, 1988, North Nelson filed a motion to withdraw its request for the deviation from 807 KAR 5:066, Section 5(4) and stated that it has decided to engage the services of a consulting engineer for constructing additional water storage facilities.

The Commission, having reviewed the evidence of record and being advised, is of the opinion and finds that:

1. As North Nelson is not currently in compliance with Commission Regulation 807 KAR 5:066, Section 5(4) and does not appear capable of coming into compliance with it in the immediate future, North Nelson's motion to withdraw its deviation request should be denied.

2. North Nelson does not provide water storage to insure a minimum of 1 day's supply of its average water usage as required by 807 KAR 5:066, Section 5(4).

3. North Nelson should commission an engineering study to determine the feasibility of constructing sufficient water storage capacity to comply with Commission Regulation 807 KAR 5:066, Section 5(4). A copy of this study should be filed with this Commission no later than October 31, 1988.

4. Any person, firm, or corporation who installs any plumbing, including service lines to a water utility's distribution main, must procure a plumbing installation permit from the Kentucky Department of Housing, Building, and Construction ("the Department") before installing that plumbing. KRS 318.134. Farmsteads,<sup>1</sup> however, are exempt from this requirement. KRS 318.015(3).

5. Any plumbing installed under a plumbing permit must be installed in accordance with the plumbing permit and the Kentucky state plumbing code. KRS 318.134.

6. The Kentucky state plumbing code requires water service lines to be free from any tee, branch connection, irregularity or defect. 815 KAR 20:100.

7. Prior to the completion of any plumbing installation, the Department conducts an inspection to ensure that the plumbing

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<sup>1</sup> A farmstead is "a farm dwelling together with other farm buildings and structures incident to the operation and maintenance of the farm situated on ten (10) acres or more of land which is located outside the corporate limits of a municipality." KRS 318.010(8).

installation complies with the provisions of the Kentucky state plumbing code. KRS 318.130 and 318.134. In those localities where the local government has enacted by ordinance the Kentucky state plumbing code, inspections are conducted by local governments instead. KRS 318.140.

8. The inspections conducted by the Department or by local government are comparable to those required of a water utility by Commission Regulation 807 KAR 5:066, Section 10(3).

9. To require a water utility to perform an inspection of any service line installation where the Department or local government has already conducted a comparable inspection would result in a needless duplication of efforts.

10. To avoid the needless duplication of effort, North Nelson should be authorized to deviate from Commission Regulation 807 KAR 5:066, Section 10(3) in those instances where the Department or local government is required to inspect a service line installation.

IT IS THEREFORE ORDERED that:

1. North Nelson's motion to withdraw its deviation request be and it is hereby denied.

2. North Nelson be and it hereby is granted a deviation from 807 KAR 5:066, Section 5(4) until July 1, 1991.

3. North Nelson shall investigate the feasibility of constructing additional water storage facilities. As a minimum this should include the number and capacity of the additional water storage tanks needed to bring North Nelson into compliance

with the Commission regulations. An engineering report containing this feasibility study shall be submitted to the Commission by October 31, 1988.

4. North Nelson is authorized to deviate from Commission Regulation 807 KAR 5:066, Section 10(3) in those instances where a service line installation is inspected by the Department or local government. North Nelson shall, however, conduct such inspections where the same are not required by KRS Chapter 318.

Done at Frankfort, Kentucky, this 1st day of August, 1988.

PUBLIC SERVICE COMMISSION

Richard D. I. Herring Jr.  
Chairman

Robert M. Davis  
Vice Chairman

James N. Williams  
Commissioner

ATTEST:

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Executive Director